

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDEPENDENT ASSET MANAGEMENT,
LLC,

Plaintiff,

- against -

DANIEL ZANGER,

Defendant.

Index No. 07-CV-6431 (JSR)

ECF

**MEMORANDUM OF LAW IN RESPONSE TO DEFENDANT DANIEL ZANGER'S
MOTION IN LIMINE TO EXCLUDE EVIDENCE RELATED TO STEVEN
SCHULMAN'S CONDUCT PRIOR TO HIS RETENTION IN THIS MATTER**

Plaintiff Independent Asset Management does NOT oppose Defendant Daniel Zanger's Motion *in limine* to Exclude Evidence Related to Steven Schulman's Conduct Prior to His Retention in This Matter. Plaintiff at no time intended to exploit the predicaments that Zanger's previous counsel, Steven Schulman, engaged in prior to this dispute. As Zanger has since retained Jones Day as counsel, the issue is irrelevant and does not warrant further attention.

Dated: New York, New York
July 28, 2008

Respectfully submitted,

s/ Craig Stuart Lanza

Craig Stuart Lanza (CL-2452)
John Balestriere (JB- 3247)
BALESTRIERE LANZA PLLC
225 Broadway, Suite 2900
New York, NY 10007
Telephone: (212) 374-5400
Facsimile: (212) 208-2613
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served on the following counsel of record on July 28, 2008, via the methods listed below:

By ECF

Michael Silberfarb
Jones Day
222 East 41st Street
New York, NY 10007
Attorneys for Defendant

s/ Craig Stuart Lanza

Craig Stuart Lanza (CL-2452)
BALESTRIERE LANZA PLLC
225 Broadway, Suite 2900
New York, NY 10007
Telephone: (212) 374-5404
Facsimile: (212) 208-2613
Attorneys for Plaintiff